

STATE OF INDIANA            )  
   )  
 COUNTY OF ALLEN            )  
   )  
 ABEL REYNA,                                )  
   )  
                           Plaintiff,                                )  
   )  
                           v.    )  
   )  
 AUTOFORM TOOL &                                )  
 MANUFACTURING, INC.,                                )  
   )  
   )  
                           Defendant.

SS:                                IN THE STEUBEN SUPERIOR COURT  
   CAUSE NO. \_\_\_\_\_

### COMPLAINT

Plaintiff alleges against Defendant that:

1. The Plaintiff is Abel Reyna, a qualified employee of Mexican nationality of the Defendant at all times material to this Complaint. Plaintiff contends that he was harassed and discriminated against on the basis of his national origin (Mexican); subjected to a hostile work environment on the basis of his national origin; and constructively discharged, all in violation of his federally protected rights pursuant to Title VII of the Civil Rights Act of 1964, 2000e *et seq.* ("Title VII"), and 42 U.S.C. § 1981.
2. The Defendant is Autoform Tool & Manufacturing, Inc., a company doing business at 1501 Wohler Street, Angola, IN 46703. Defendant is an "employer" for the purposes of Title VII and § 1981.
3. Plaintiff filed his Charge of Discrimination with the Equal Employment Opportunity Commission ("EEOC") and the Metropolitan Human Relations Commission ("Metro") on June 21, 2021, a copy of which is attached hereto, incorporated herein,

and made a part hereof as “Ex. A.” The EEOC issued its Notice of Right to Sue on November 9, 2021, a copy of which is attached hereto and made a part hereof as “Ex. B.” All jurisdictional prerequisites have been met, and all administrative remedies have been exhausted for the filing of this lawsuit.

4. Plaintiff worked for Defendant from on or about January 25, 2021, until his constructive discharge on or about June 18, 2021. At the time of separation from employment Plaintiff’s job title was “production worker.”
5. From the time Plaintiff began working for Defendant he was harassed by his supervisor, Bruce.
6. Plaintiff’s supervisor would follow him around yelling at him and attempting to intimidate him. The intimidating behaviors caused Plaintiff to fear for his safety.
7. Plaintiff, along with other Hispanic employees, was denied breaks and Bruce also told other non-Hispanic employees to watch Plaintiff. This was not typical, and Bruce did not have other employees “watch” non-Hispanic employees.
8. Plaintiff reported the ongoing harassment as early as March 2021 and continued to report the harassment throughout his employment. After his first report in March, Plaintiff reported the harassment in May 2021 and finally in June 2021.
9. After enduring six (6) months of harassment and seeing no changes after reporting the harassment for four (4) months, Plaintiff was no longer able to work for Defendant and resigned on or about June 18, 2021, due to the hostile working environment.
10. Plaintiff contends that he was discriminated against, harassed, and constructively discharged in violation of her rights pursuant to Title VII and § 1981.

11. The Defendant's discriminatory conduct and inaction regarding the harassment was the direct and proximate cause of Plaintiff suffering the loss of his job and job-related benefits, such as income, and subjected him to inconvenience, emotional distress, humiliation, and other damages and injuries. Complaint is entitled to seek compensatory damages.

12. Furthermore, Defendant's discriminatory conduct was intentional, knowing, willful, wanton, and in reckless disregard of Plaintiff's federally protected rights under Title VII and § 1981, warranting an imposition of punitive damages.

WHEREFORE, Plaintiff prays for judgment against the Defendant for compensatory damages, punitive damages, reasonable attorney's fees and costs, and for all other just and proper relief in the premises.

**JURY DEMAND**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury in this action.

Respectfully submitted,

**CHRISTOPHER C. MYERS & ASSOCIATES**

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